

Docket Number:	Date Filed:	OTN/LiveScan Number G 826771-1	Complaint/Incident Number 3322-18
Defendant Name	First: ASHTON	Middle:	Last: CURTIS



# POLICE CRIMINAL COMPLAINT

Your affiants, Steve Dish and Jeremy Hoerter, are Detectives with the Allegheny County Police Department and are assigned to the Child Abuse/Sexual Assault Unit. This Unit investigates cases of Child Abuse in Allegheny County, PA. The victim in this case is 1 month old male child who shall hereby be referred to as John Doe for the purpose of anonymity. Doe's true identity has been verified and memorialized by your affiants and shall be made available to the appropriate courts of jurisdiction. The information contained in the affidavit was obtained by your affiants and/or communicated to them by other law enforcement officers. On 12/28/2018, your affiants were requested to assist O'Hara Township police for a report of an abducted 1 month old child.

Per the initial report, Kayla Lahey contacted Allegheny County 911 at approx. 1022hrs and reported that her son was removed from her home by her son's alleged father. Officers from Aspinwall PD and O'Hara township police responded directly to Lahey's residence at 8 Mary St. O'Hara Twp. PA 15215. On arrival, officer were met by Lahey who initially reported that a male, later identified as Ashton Curtis DOB: 06/28/1989m, who is not that child's father, walked out of the front door with her 1 month old child. Lahey added that Curtis is not on Doe's birth certificate.

A search of the residence by local police confirmed that the child was not at home and confirmed the abduction. At 1034hrs a BOLO alert was issued for Curtis and the silver SUV that he last seen driving. At 1047hrs Pennsylvania State Police issued an Amber Alert for John Doe and Ashton Curtis.

While enroute to 8 Mary St, Dets were notified that PSP had located Ashton and John Doe along with Kimberly Marine and John Hall. When stopped by PSP on Interstate westbound at mile marker #62, Curtis, Marine, and John Doe were travelling in a silver Ford Escape SUV and John Hall was travelling in tandem with them occupying a red Ford F250 pick-up truck. At approx. 1218hrs Allegheny County Detectives responded to 8 Mary St. O'Hara Twp. PA 15215. The residence was clean and contained all required and appropriate items necessary for caring for infant children. Lahey provided Dets with a series of legal documents outlining that Curtis was seeking custody of John Doe. It was later learned that those proceedings were withdrawn prior to being served.

On 12/28/18 at 12:21pm Detectives D. Shuba and J. Hoerter interviewed 25-year old Kayla Lahey concerning her call to 911 relating to the abduction of her 1-month old son. Lahey related that she had a relationship with Ashton Curtis spanning the last three years. Lahey reported that her son John Doe was born on November 20, 2018 at McGee Hospital. Lahey stated that Curtis resides in the Houston Texas area with his mother, Kimberly Marine. When John Doe was born at UPMC Magee Women's Hospital she informed Curtis. Curtis and his mother, Kimberly Marine, came to the hospital and saw John Doe. Lahey related that Curtis and his mother became argumentative with her and she had them removed from the hospital. Lahey reported that she then only had contact through texts, phone, and social media messaging with Curtis and his family members until yesterday 12/27/2018.

A few days ago Curtis started texting her asking if he could come and see the baby. Lahey stated that she agreed to allow that and on 12/27/2018 Curtis travelled up from Texas. Lahey stated that Curtis arrived at her residence at approximately 9:30pm on 12/27/2018. She stated when Curtis arrived she observed a red pick-up truck with a tool box in the truck bed parked on her street. She asked Curtis what vehicle he had travelled in and Curtis told her a silver SUV, she observed an SUV type vehicle parked on her street a bit down from her residence. Lahey stated that Curtis went out several times to presumably smoke and she later noticed that the red pick-up truck was no longer in view parked on the street.

Lahey related that while at her residence she let Curtis hold the baby for a while. When the baby became fussy she took him back, fed and put him to bed. Lahey stated that she had told Curtis numerous times that he could not stay the night, but Curtis ignored her, eventually falling asleep on her living room couch. Lahey was concerned about a possible altercation with Curtis, and was concerned for the baby and her other two small children, so she let Curtis sleep on the couch and eventually went to sleep in her own bedroom. Lahey stated that this morning they all got up around 8:30am and she started making breakfast and taking care of the children. While Lahey was making breakfast Curtis went outside to presumably smoke and then came back in, going





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directly to the baby and picking him up. Curtis stated that the baby had pooped and needed changed. Lahey stated that she had just changed the baby. Curtis went back to the bedroom and appeared to change the baby. Lahey went back to cooking food and heard then heard the front door bang. She went into the living room and did not see Curtis or the John Doe. she ran through her residence and did not see John Doe. Lahey stated that she started to panic and her other children told her that Curtis left with the baby. Lahey looked outside and there was no sign of Curtis or John Doe. She then called 911. She also attempted to call Curtis but his phone was off.

On December 28, 2018, Detective Steven Dish and Detective Edward Watts interviewed Ashton Curtis at the Allegheny County Police Headquarters. Curtis was advised that the interview room was equipped with a video/audio recording system and that everything that was done and said in the interview was being recorded. Curtis stated that he agreed to have the interview recorded. Curtis was read his Miranda Rights to which he stated that he understood his rights and that he agreed to waive his right to an attorney and speak with Detectives. Curtis signed the Miranda/ Waiver Form stating such. Curtis said he had met Kayla Lahey while he was working in the Butler area for a gas company. Curtis stated he returned to Texas once his job ended in Butler. He and Kayla continued to communicate about Kayla's pregnancy and the upcoming birth. Curtis stated he and his mother came up to Pittsburgh when his son was born in a Pittsburgh Hospital. They remained at the hospital with Kayla for two days before Kayla had the police ask them to leave. Curtis said he left and returned to Texas. Curtis stated he arrived to Kayla's house about 9 30 p.m. on the December 27th. Curtis said he remained at the house through the night but did not have any arguments with Kayla. Kayla went out the back door to smoke a cigarette. Curtis said that he was holding the baby on the couch, and got up walked out the front door with the baby. Curtis then met his mother, Kimberly Marine and her husband, John Hall at the Holiday Inn Express located at Parkway Center Mall in Greentree. Curtis waited in the parking lot for the couple to return from getting gas. The three adults left the hotel parking lot in two vehicles. Curtis, Marine, and the baby were in a Silver Ford Escape, while Hall followed in a Red Ford F250 pickup truck. Curtis said they then proceeded towards Claysville with the plan to return to return home to Texas with the baby, where they were stopped by the police. Curtis was asked if there was a reason why he felt that the baby was unsafe with Kayla. Curtis answered she smokes cigarettes while she breastfeeds the baby. Curtis was asked if there were any other reasons that he thought that John Doe might be safe. Curtis responded that there was none. Curtis stated he was the father and that there was no court order so anyone could take the baby. Curtis said he did not discuss custody with Kayla when he arrived December 27, 2018 and confirmed she did not know his mother was in town. Curtis admitted that he, his mom, Kimberly Marine, and John Hall planned to come to Pittsburgh and take John Doe back to Texas.

On 12/28/18, the paternal Grandmother of John Doe, Kimberly Marine, was interviewed by Detective Kuma. Marine stated she and her fiancé took a flight from Texas to Ohio yesterday and then they drove to Pittsburgh in a gray SUV rental car. Marine stated she was previously aware of the plan for her son, Ashton Curtis, to remove John Doe from the custody of his mother and transport the child back to Texas. Marine said she knew there was no custody order in place. Marine also stated she was under the impression that pursuing custody of John Doe in Texas would be easier than proceeding through a Pennsylvania Court.

Marine said she and her fiancé stayed in an area hotel and went to Doe's mother's residence around 3am to switch vehicles with Curtis in preparation for him to remove John Doe from his mother. Marine said later in the morning, she was contacted by Curtis stating that he had taken John Doe and then the three of them met up and began transporting John Doe back to Texas.

On 12/28/2018 at approximately 1410 hours, Detective Brennan, interviewed John Hall (10/17/1965) in reference to the investigation of interference of the custody of child. Hall was read his Miranda warning and verbally acknowledged that he understood his rights and agreed to speak with me without the presence of an attorney. John stated that he and Kimberly flew up here last night and arrived around 1 A.M. He would later confirm that they flew into Columbus, Ohio and he rented a silver Ford SUV. He stated that they then drove to Pittsburgh and rented a hotel room at the Holiday Inn in Green tree.





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Ashton had visited him and Kimberly and told them that he planned on taking John Doe when he came up to Pittsburgh if it was safe to do so. John acknowledged that he knew that Ashton was here to remove the child from what he described as a dangerous situation. John stated that he was aware that there was no custody agreement in place. John stated that he and Kimberly came here to assist Ashton with driving back home to Texas with John Doe because it is difficult for one person to handle. John affirmed that he and Kimberly Marie switched the cars at Kayla's house then went back to the Holiday Inn for the rest of the night. John admitted to knowing that he, Kimberly, and Ashton were returning to Texas with John Doe.

Based on the above stated facts, these affiants request the above listed charges to be filed against the above named actor.

I, STEVEN DASH, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAN NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

  
(Signature of Affiant)

Sworn to me and subscribed before me this 28 day of Dec 2018

Date



Magisterial District Judge

My commission expires first Monday of January.



RONALD A. ARNONI,  
MAGISTERIAL DISTRICT JUDGE  
MAGISTERIAL DISTRICT 05-2-20  
MY COMMISSION EXPIRES ON THE  
FIRST MONDAY IN JANUARY, 2022